

REMARKS

Claims 5-8 stand rejected under 35 U.S.C. § 102 as being anticipated by Garrett '873 ("Garrett"). Claims 5 and 7 are independent. This rejection is respectfully traversed for the following reasons.

Claim 5 recites in pertinent part, "a for-main-apparatus-body identifier production device that *produces a main-apparatus-body identifier* using an identifier of a network card having the lowest degree of demountability among the plurality of network cards stored in the degree-of-demountability storage device" (emphasis added). Claim 7 recites a similar feature in method format. The Examiner alleges that col. 2, lines 53-60 of Garrett discloses the aforementioned feature. However, this portion of Garrett discloses only the process by which the expansion devices are identified. Specifically, the relied on portion of Garrett states that "[t]he host computer preferably includes a timer for each expansion device that determines the length of time between the reset signal pulse and the assertion of the  $T_{in}$  signal. This time value is used by the host computer system to determine the type of expansion card" (emphasis added). The relied on portion of Garrett does not disclose or suggest using the determined "type of expansion card" *to produce* an identifier of, for example, the host computer. Indeed, it appears that the entire disclosure of Garrett is directed merely to the process of identifying expansion devices.

In other words, the relied on portion of Garrett discloses only a process for *identifying* expansion devices. The relied on portion of Garrett does not disclose or suggest *producing* an identifier for a device, let alone specifically by "using an identifier of a network card having the lowest degree of demountability among the plurality of network cards stored in the degree-of-demountability storage device" as recited in claim 5. Indeed, the relied on portion of Garrett is completely silent as to the relative degrees of demountability among the network cards.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Garrett does not anticipate claims 5 and 7, nor any claim dependent thereon.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claims 5 and 7 are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

Based on all the foregoing, it is respectfully submitted that claims 5-8 are patentable over Garrett. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 102 be withdrawn.

### CONCLUSION

Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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